

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 1/6/20.

CLIFFORD L. GELMAN, M.D.,

Petitioner,

v.

THOMAS JOSEPH BORRUSO.,

Respondent.

No. 19-CV-10649 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:


On November 18, 2019, Petitioner filed a complaint seeking confirmation of an arbitration award. On November 21, 2019, the Court ordered that Petitioner file and serve any additional materials with which he intends to support his petition for confirmation by December 6, 2019; that Respondent file his opposition, if any, by January 3, 2020; and that Petitioner file his reply, if any, by January 10, 2020. On December 3, 2019, Petitioner filed a motion to confirm the arbitration award. On December 9, 2019, Petitioner filed affidavits averring that Respondent was served with the petition, motion, and the Court's November 21, 2019 Order. Petitioner also filed an Amended Petition on December 5, 2019, and an affidavit averring that Respondent was served with the amended petition on December 19, 2019. Respondent has not filed a notice of appearance or otherwise responded to Petitioner's motion.

Respondent's deadline to file an opposition is hereby extended to February 3, 2020. If Respondent does not file an opposition, the Court will treat Petitioner's motion for confirmation as an unopposed motion for summary judgment. *See D.H. Blair & Co. v. Gottdiener*, 462 F.3d 95, 109-110 (2d Cir. 2006).

Petitioner shall serve a copy of this Order on Respondent and file proof of such service on the docket by January 14, 2020.

SO ORDERED.

Dated: January 6, 2020
New York, New York



Ronnie Abrams
United States District Judge